

MENTAL HEALTH AND DISABILITY SERVICES COMMISSION

May 22, 2014, 9:30 am to 3:00 pm  
Polk County River Place, Room 1A  
2309 Euclid Avenue, Des Moines, IA  
MEETING MINUTES

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MHDS COMMISSION MEMBERS PRESENT:

Thomas Bouska  
Neil Broderick  
Thomas Broeker  
Richard Crouch  
Jill Davisson  
Marsha Edgington  
Kathryn Johnson  
Betty King

Geoffrey Lauer  
Brett McLain  
Rebecca Peterson  
Michael Polich  
Deb Schildroth  
Patrick Schmitz  
Marilyn Seemann  
Suzanne Watson

MHDS COMMISSION MEMBERS ABSENT:

Senator Joni Ernst  
Lynn Grobe  
Senator Jack Hatch

Representative Dave Heaton  
Representative Lisa Heddens  
Sharon Lambert

OTHER ATTENDEES:

Theresa Armstrong	MHDS, Bureau Chief Community Services & Planning
Teresa Bomhoff	Iowa Mental Health Planning Council/NAMI Greater DM
Connie Fanselow	MHDS, Community Services & Planning/CDD
Jim Friberg	Department of Inspections and Appeals
Melissa Havig	Magellan Health Services
Karen Hyatt	MHDS, Community Services & Planning
Gretchen Kraemer	Attorney General's Office
Harry Rossander	DHS, Bureau of Policy Coordination
Rick Shults	MHDS Division Administrator

WELCOME AND CALL TO ORDER

Patrick Schmitz called the meeting to order at 9:35 a.m. and led introductions. Quorum was established with sixteen members present.

APPROVAL OF MINUTES

Deb Schildroth made a motion to approve the April 17, 2014 meeting minutes as presented. Neil Broderick seconded the motion. Tom Broeker and Geoff Lauer abstained from the vote. The motion passed, 14 to zero.

## REVIEW OF COMMISSION DUTIES

Rick Shults welcomed new and returning members and briefly reviewed the duties of the Commission, which fall into three broad areas:

- (1) Advising on mental health and disability services to the Department of Human Services, the Governor, and the Legislature
- (2) Adopting administrative rules related to mental health and disability services
- (3) Adopting standards for MHDS for service delivery where no other agency is responsible for establishing the standards

Rick commented that a collaborative process has been developed for MHDS and the Commission to build rules together using MHDS resources and the skills and expertise of Commission members who have volunteered their time to serve on committees. He said the Commission has worked diligently to maintain a high degree of credibility and accountability. Rick said he greatly appreciates the diversity of experiences, representation, and perspectives that the Commission members bring to the table, as well as their focus on the goal of having the best services possible for lowans with mental illness and disabilities. He said he has been very impressed with how the Commission listens, gathers information, and looks at the context to understand how and why decisions are being made. Rick said he has often seen a process of questioning, sharing experiences and different points of view, looking at options, and ultimately reaching a point of understanding and agreement in the work of the Commission and its various committees. Rick said he hopes that members appreciate the comments made by Director Palmer yesterday when he said they were a credible and respected group, and he expects it will be another productive year.

## COMMISSION ETHICS AND RESPONSIBILITIES

Gretchen Kraemer, the DHS liaison for the Attorney General's Office, presented an overview of ethics and responsibilities for Commission members.

Open Meetings - Commission meetings are subject to the open meetings law, which can be found in Iowa Code Chapter 21. She noted that Commission meetings are well attended, which speaks to the interest by members of the public and the value they find in attending. All deliberations and votes must take place in public. Even if a group does not intend to hold a meeting, a gathering of members can become a meeting if a quorum is present and business is discussed. It is important to be aware of such situations so that the open meetings requirements are not inadvertently violated.

Committees - Work can be done in committees and as long as the committee is less than a quorum, open meeting requirements do not apply. A committee cannot act on behalf of the Commission, they can only make recommendations to the full Commission, which can be accepted or rejected by vote at an open meeting. Committee members can take votes in reaching their recommendations, but cannot take any formal action without the approval of the full Commission at a public meeting.

Public Notice - Notice of meetings must be posted in a public place at least 24 hours ahead of a meeting. The agenda for Commission meetings is posted in the Hoover Building several days before regular meetings. Connie Fanselow also maintains an email distribution list and routinely shares the meeting agenda and other information on the Friday before a meeting.

Agenda – The meeting agenda is the invitation for the public to attend. It needs to reflect items for specific action and should advise people of the time, date, place, and topics to be discussed or items to be voted on. Some flexibility is acceptable, but a public body should not wholly depart from the agenda. The Commission has chosen to add a disclaimer to the agenda to notify people that the times listed are approximate.

Public Comment - Meetings must have an opportunity for public comment. This can be limited to a brief, designated time at the end of the meeting. Traditionally, the Commission has been open to allowing comment throughout the meeting as long as it does not become disruptive to their work.

Open Records - The state open records law applies. Documents that are prepared and presented to or considered by the Commission at their meetings become public documents. Emails about Commission business are open records.

Conflicts of Interest – The Commission is comprised of diverse stakeholders for a reason. Each member represents a certain constituency, yet the goal is for members to represent the best interest of all Iowans, not just the group of people they serve in other capacities. Any conflicts of interest or perceived conflicts of interest should be declared. The Commission makes it a practice to give members an opportunity to do that at the beginning of each meeting. If a conflict exists with regard to a particular subject, Commission members are expected to abstain from participating in votes or influencing other members related to that matter.

Gretchen provided some guidance on identifying conflicts of interest. Conflicts typically deal with money or a financial stake in a decision, although the Commission has generally taken a broader view and significant relationships with providers, counties, or involvement in issues are often disclosed. All members are stakeholders in some way, but that does not necessarily require members to recuse themselves from voting.

A member should abstain from voting or influencing the group when:

- An issue directly affects a business interest of a council member
- There is a substantial threat to the independence of judgment or there is the appearance of impropriety
- Participation would have a negative effect on public confidence

A member should be cautious about speaking to influence a vote if they will be recusing themselves from the vote because of a conflict.

Lobbying – There are rules on lobbying that apply to all governmental entities that must be carefully followed. The Commission is a governmental body. If the Commission wants to lobby, they would have to select a specific person to represent them and that person would have to register as a lobbyist. The Commission would also need to take a public vote on the position to be lobbied. Individual members can lobby on their own behalf as private citizens, but may not present themselves as representing the Commission.

Gretchen noted that one of the duties of the Commission is to make recommendations to the Department, the Governor, and the Legislature for changes in Iowa law. They formulate those recommendations, present them at an open meeting, adopt them by vote, and include them in their annual report each year.

Communications – Communications on behalf of the Commission should come from the Chair or other person who has been designated by vote of the Commission to act on their behalf and should be created or approved by vote of the Commission. Unless the Commission has designated a member as their spokesperson, individual members should communicate (in person, writing, or otherwise) as a private citizen.

Gretchen shared a version of Commission ethics and responsibilities in verse, “How to Be a Good Commission Member – Let Me Count the Ways”:

Good morning and welcome, I have been asked  
To impart some advice on how you'll be tasked  
To serve on the MHDS Commission  
And to maintain their reputable tradition  
Avoiding missteps made by boards in the news  
Common sense will guide you through don'ts and some do's

When I say Board, I mean the Commission  
But that word is too long for this rhyming rendition  
Appointment to the Board gives you a voice  
But the tasks you complete are not just your choice

Your job as a Board member, it is quite clear  
Spelled out in the statute, amended this year  
These duties are law and you must abide  
To the duties set forth, it's not just a guide

The legislature meant what they said and said what they meant  
We interpret plain language to discern their intent  
When the statute says shall, it means the Board must  
May gives discretion, your judgment to trust

Later today we'll review the change  
And you can decide how best to arrange  
The tasks in the year that you have to complete them  
Divide and plan your objectives to meet them

Each meeting of members is an occasion  
To produce something helpful for the situation  
What outcome do you want this group to achieve?  
What goals to accomplish before you leave?

Once you decide how best to complete  
The tasks set before you at each time you meet  
If to duties and outcomes some items relate  
Set them on the agenda for meeting debate  
Designate those items requiring action  
To help stay on task and avoid distraction

The agenda also serves to invite as guests  
All of the public who share your interests  
The plan must let your guests know what you'll discuss  
And what time it's starting, and they'll be no fuss

When away from the plan, the meeting does veer  
Your guests won't know what time to appear  
If they miss attending the talk of their druthers  
The agenda failed to make welcome others

Most boards get in trouble over the big M – money  
The temptation is large, conceding's not funny  
Don't be surprised if folks look askance,  
If your salary makes you a big greedy-pants  
No worries here, you are not overpaid,  
Earning a modest fifty dollars a day

But the rules and the policies this Board decides  
Affects the resources and services Iowa can provide  
The Board should be prepared to the public account  
For public funds affected, in any amount

Everyone has the right to hear  
Discussion behind the decisions, so the reason is clear  
A default position I would advise  
Save Board business for meetings is wise

If you must talk amongst yourselves, maintain your decorum  
Keep the group small, must be under a quorum  
Committees can work on topics alone, but must note  
Committees suggest and recommend, they don't vote  
All board documents are public, emails too  
They fall under the purview of Chapter 22

You may want to know, who do you represent?  
The clients, the system, or your constituents?  
The simple answer is yes, yes and yes  
The challenge to balance these competing interests  
Is up to each member to determine what's best  
My own opinion is we should keep in mind  
The people we serve as the bottom line.

Moving to conflicts of interest, it need not be tricky  
Be open to avoid problems sticky  
Declare in the meeting if you've a connection  
With a business before you is the best protection  
Declare in the beginning, when the meeting starts  
Then others will know context that comments impart

In deciding whether you have a conflict  
Consider the question, who will this benefit?  
Disclose not only actual conflicts you have  
But potential conflicts as well, confess and be glad  
Disclose them in full, don't leave something out  
It just makes folks suspicious, why leave any doubt?

Vote you should not if it could appear  
To anyone else that your motive's aren't clear  
Declare and abstain to avoid a collision  
Of conflicting interests in your decision

But the most important piece of advice, by far  
Is to show up to these meetings, by phone or by car  
If you cannot be there, reading minutes is best  
To personal presence, a close second is text

And when you attend, it would be great  
To hear your opinion, to participate  
You each represent a different perspective  
If you remain silent, we lose that directive  
Upon you a great many others depend  
Because decisions are made by those who attend

## REVIEW OF THE ADMINISTRATIVE RULE MAKING PROCESS

Harry Rossander, DHS Bureau Chief for Policy Coordination, presented an overview of the administrative rulemaking process. The Bureau of Policy Coordination is responsible for maintaining the process for appeals and exceptions to policy, and overseeing the process of administrative rulemaking. DHS handles about 8000 appeals and 4500 exceptions every year – most deal with Medicaid services. The Bureau also maintains the employee policy manual, which consists of 374 chapters and 30,000 pages and is in the midst of a major change to a more visible, more intuitive format. There will be electronic flow charts that will make information much easier to access.

Last year, 95 different rules were adopted by the Department, which may be a new record. Many were necessary because to implement the Affordable Care Act and other changes in law. This is a busy time for rules that are due to be in effect by July 1.

Harry said the goal of today's presentation is to provide an overview of what administrative rules are and how they are adopted. Laws provide the "big picture" of what is to be done and rules explain in more detail how it is to be done. Rules help to operationalize law. The legislature adopts laws and state agencies adopt administrative rules to implement those laws. Agencies are given the authority to make rules by the legislature.

The administrative rules process was intentionally designed to:

- Be thoughtful and forthright
- Ensure accountability
- Ensure the impact of proposed rules is thoroughly understood

The public always has an opportunity to see the rules and comment on them.

The process for making rules is established by Iowa Law in the Iowa Administrative Procedures Act (APA):

- Found at Iowa Code Chapter 17A
- It gives state agencies the right to make rules

The APA's purpose is to:

- Increase legislative oversight of agency actions
- Increase public accountability for agencies
- Increase public access to government information
- Increase public participation in government decision-making

A rule is a statement of general applicability that:

- Implements federal or state law or policy, or
- Interprets federal or state law or policy, or
- Prescribes state law or policy, or
- Describes the agency's organization, procedures, practice requirements

Rules are not required for statements concerning:

- Internal management of the agency
- Residents of a state facility
- Prices of goods or services furnished by DHS (as opposed to fees)
- Criteria for audits, inspections, or negotiations

Rulemaking is a delegation of legislative authority:

- Administrative rules have the force of law
- An administrative agency has no independent law-making power
- Rulemaking authority must be expressly delegated by statute
- Agencies can act only within the authority of the statute

A rule is valid when:

- It is based on a law that is constitutional and specifically authorizes the agency to make rules
- It has completed the required rulemaking process (due process)
- It is within the authority of the agency and it is reasonable

Rules are required to describe:

- Agency structure, programs, and mission
- Methods for public to get information or make requests
- Nature and requirements of all formal and informal procedures available to the public
- Description of all forms and instructions used by the public
- Standards, principles, and procedural safeguards

Things change constantly and rules must evolve with that change. Changes in rules impact how employees, providers, and others do their jobs, and may change forms, programming, or procedures.

The Iowa Administrative Bulletin is published every two weeks. All rules are published in the Bulletin to achieve public notice. The first publication is the Notice of Intended Action. That is followed by a public comment period, then an implementation period. The final rule is published when it is adopted. There is a minimum time period required for each step. The Legislature Services Agency is the controlling entity that sets the timeline. Rules must be prepared to the specification of the LSA editors and submitted by a certain date to make publication.

Rules are published by the Legislative Services Agency (LSA):

- The Iowa Administrative Code (IAC) is the published collections of the administrative rules of all state agencies
- The Iowa Administrative Bulletin is a biweekly pamphlet announcing rules proposed or adopted by state agencies
- Copies may be found on the DHS Policy Analysis website at: [www.dhs.iowa.gov/policyanalysis](http://www.dhs.iowa.gov/policyanalysis)



- The administrative rules for the Iowa Department of Human Services can be found in the Iowa Administrative Code, Chapter 441
- DHS has about 1700 pages of administrative rules; more than any other state agency.
- DHS currently has more than 2100 forms that can be impacted by changes in administrative rules.

Rules may be needed or need clarification due to:

- Legislation
- Federal Regulation
- Policy or procedural changes
- Public request
- Internal review

Changes in law may require changes in:

- Rules
- Manuals
- Forms
- Systems

In rulemaking, the Legislative Services Agency is the controller:

- They run the Iowa Administrative Bulletin
- Set the timeline for when rules are passed
- The Bulletin only published on specific days
- Rules must be in a particular form to be published
- They must be precise and careful edits for punctuation are made to ensure that the intended meaning is clear

To make a rule, DHS must:

- Identify and develop the proposed rule changes
- Publish a notice of proposed changes in the Iowa Administration Bulletin (Notice of Intended Action) (“what we want to do”)
- Gather comments from the public
- Submit to administrative and legislative oversight
- Adopt final rules
- Publish final rules in the Iowa Administrative Bulletin (Rule Adopted) (“what we are going to do”)

Three bodies have rulemaking power for DHS:

- The Council on Human Services
- The Mental Health and Disability Services Commission
- The hawk-i Board

Oversight of rules rests with:

- Specific Councils, Boards, or Commissions
- The Administrative Rules Coordinator

- The Attorney General
- The Administrative Rules Review Committee (ARRC)
- The Iowa General Assembly

The ARRC is a committee of legislators who look at rules in both the notice and implementation phase.

Role of DHS staff:

- Primary resource for drafting and editing
- Prepares rule packets consisting of the proposed rule, an information papers, and a fiscal review
- Obtains administrative and fiscal approval
- Submits the packet to the Publications Unit
- Reviews products
- Responds to comments

It takes about 6 months total time to make a rule by the regular rulemaking process:

- 19 days for initial publication (Notice of Intended Action)
- 35 days for public comment
- 19 days for final publication (Rule Adopted)
- 35 days for implementation
- Add in time for approval by Council, Board, or Commission

There is also an emergency rule making process that can be used when the legislature grants authority because the 6-month timeline is not workable. New legislation this year makes some changes to the process. The Legislature now has the ability to approve, delay, or reject emergency rules.

Emergency rulemaking criteria:

- The comment period may be waived if it is unnecessary, impracticable, or contrary to public interest
- The implementation period may be waived if legislation permits it, if it confers a benefit or removes a restriction, or if there is imminent peril to public health or safety
- If both are waived it is “double emergency”

There are three ways to make emergency rules:

1. Waive the notice period upfront (no public comment)
2. Waive the implementation period (after notice)
3. Waive both (double emergency)

When this is done, the rule is also filed as a regular rule at the same time. In this way, people have an opportunity to comment after the emergency rule has been adopted and the agency can choose to make changes to rule after it has been implemented.

All comments received are reviewed and responded to; the agency may choose to make changes based on comments or not.

It takes a minimum of 2 months to make a rule using the emergency rulemaking process:

- A rule may be adopted emergency without Notice of Intended Action, but implemented regularly in about 4 months
- A rule may be adopted emergency after Notice of Intended Action without the implementation period in about 4 months
- A rule may be adopted emergency without Notice of Intended Action and implemented immediately in about 2 months

For rules that are adopted on an emergency basis, the regular rulemaking process is also followed at the same time to provide for public comment. The Administrative Rules Review Committee sees all the DHS emergency rules before they are published.

The Legislative Administrative Rules Review Committee has the discretion to:

- Direct the agency to do more consensus building on proposed rules
- Delay the effective date of the rule by 70 days or until the end of the next legislative session
- Refer the rule to the General Assembly

Harry noted that last year DHS actually pulled a rule related to cost containment strategies that had been approved and worked with the ARRC, which agreed not to finalize the rule. The issue went back to the legislature.

Harry shared a flow chart of the DHS administrative rule making process, pointing out the Commission's role and explaining the basics of the process:

- MHDS drafts the rule and forwards it to the Rules Administrator (Harry) along with a sign off sheet, which includes approval from the Attorney General's Office, an information sheet, and a fiscal impact statement. Harry adds a preamble (standard boilerplate language used for all rules).
- If it is an emergency rule, it goes first to the ARRC, then to the Commission for adoption.
- If it is a regular rule, it goes to the Commission to approve the Notice of Intended Action.
- It then goes through the ART (Administrative Rules Terminal) system, IGOV, and LSA, which edits and publishes the rule
- There is a 20-day period for public comment and there may be public hearings held after 20 days.
- Public comments are collected and reviewed, and responses are prepared
- The rules may be revised in response to comments, or there may be an explanation of why the suggested changes were not made; those explanations will show up in the preamble of the next publication of the rule

- Changes may be for content or may be for technical reasons
- The notice of intended action has to be addressed formally within 120 days from publication; the rule can be adopted or rejected.
- If it is not adopted, it can be revised and brought back to be considered for adoption again.
- Once adopted, the rule goes back through the system to LSA and they have 19 days to get it published in the Iowa Administrative Bulletin.
- There is a change since last year in that the rules now go back to the ARRC, which can approve, delay, or object to them.

When a rule comes to the Commission for a vote to notice or adopt, the Commission can only vote to adopt or reject, it cannot make edits or changes before approving. If the Commission chooses not to approve the rules as presented, they can give input on the reasons why, and the rules can be revised and brought back at a later meeting.

All public comments go to the Rules Administrator (Harry) to be compiled. They then go back to MHDS, which will respond to the comments in writing. That is all included in the final rule publication. DHS may choose to work with the committee that helped develop the rules in drafting responses, or they may do it internally.

As an example of the timeline, if you had a rule ready today for regular filing:

- The next filing date for notice is June 6
- To be included in that publication, the rule would need to go from the Rules Administrator to the Governor's Office 3 days in advance, by June 3
- Nineteen days later, on June 25, the rule would be published in the IAB
- Comments are due 20 days later, by July 15
- If you are going to have a hearing, it could occur after July 15
- The first day it could be adopted would be on July 30
- The next time the Commission would meet to adopt it would be in mid-August
- The earliest filing deadline would be August 27
- The rule would be published September 17
- The first possible effective date of the rule would be October 22
- The policy is to go to the first day of the next month, or November 1

The DHS website for administrative rules is: <http://dhs.iowa.gov/administrative-rules>

The Iowa General Assembly website is: <http://www.legis.state.ia.us/IowaLaw.html>

## DATA GATHERING FOR BIENNIAL REPORT

Connie Fanselow shared a summary of the key Commission reporting duties. The Commission is working to be more proactive in gathering information to improve their ability to complete their biennial report. The Commission reports each year on its activities and is charged with making recommendations for changes in Iowa law on an annual basis. It has two additional biennial reporting duties:

By January 1 of each odd-numbered year, the Commission shall submit to the governor and the general assembly an evaluation of:

(1) The extent to which services to persons with disabilities are actually available to persons in each county in the state and the quality of those services. (Iowa Code 225C.6) and

(2) The effectiveness of the services being provided by disability service providers in this state and by each of the state mental health institutes established under chapter 226 and by each of the state resource centers established under chapter 222. (Iowa Code 225C.6).

In addition, the Commission shall advise the administrator, the council on human services, the governor, and the general assembly on budgets and appropriations concerning disability services. (Iowa Code 225C.6) Before completion of the department's budget estimate as required by [Iowa Code] 8.23 [due on or before October 1], the commission will consult with the Director to determine and include in the estimate the amount which in order to address the increase in the costs of providing services should be appropriated to the [Mental Health and Disability Regional Services] fund for the succeeding fiscal year. (225C.7A effective 7-1-13)

The purpose of today's discussion is to start talking about the process of requesting, gathering, and reviewing information to develop the report and considering how to approach identifying what information and resources will be necessary to complete the tasks.

Suggestions for information resources/topics:

- Copies of previous Commission reports
- Information on complaints filed
- Waiting lists for SRCs and MHIs
- Money Follows the Person - number of people moved; successes and barrier
- Outcome measures reported by organizations for national accreditation (CARF, JCAHO, Council on Quality and Leadership, etc.)
- DHS reports
- Iowa State Association of Counties
- Regional Management Plans
- IHH information tracked by Magellan
- Updates on progress made in redesign
- Rollout of the IHAWP and its impact (adequacy of coverage, availability of providers, etc.)

Next month:

- Will provide more information on DHS reports and other resources available
- Will review and update committee assignments
- If time allows, will hold initial committee meetings

## UPDATE ON CRISIS STABILIZATION RULES

Karen Hyatt shared an update on the development of the administrative rules for crisis stabilization services, noting that the Commission Crisis Stabilization Rules Committee members have been very involved in the process. The members of the committee are Patrick Schmitz, Suzanne Watson, Rebecca Peterson, Neil Broderick, Betty King, Jack Willey, Susan Koch-Seehase, and Chris Hoffman. Karen said these rules have been particularly challenging because they are being created from “scratch” to implement new services. They will become part of chapter 24 and will be used for accrediting providers of services.

Patrick Schmitz said that chapter 24 is the part of the rules that direct providers in how to deliver the services that DHS accredits. It lays out requirements, service standards, staff qualifications, necessary documentation, client rights, and other requirements. Theresa Armstrong explained that the crisis stabilization rules will be added to chapter 24 as a separate division. They will not apply to a specific kind of provider, but providers can be accredited to deliver particular services. Each of the services will have its own qualifications, outcomes, and performance measures. For some services, providers will have to meet all of the chapter 24 provider requirements, for other services they will only have to meet specific requirements. MHDS staff is working to have a final draft ready for the June meeting.

These rules cover both facility and community-based crisis services. The document will contain:

- Definitions
- Organizational standards and requirements;
- Staff requirements and qualifications overall and for each specific service
- Standards for services
- Accreditation and deemed status
- Complaint and appeals processes
- Medication standards (storage, administration by others, supervision of self-administration, documentation, safety)
- Services:
  - 24 hours crisis response
  - Crisis evaluation (screening and assessment)
  - 24 hour crisis hotline
  - Warm line
  - Mobile response
  - 23 hour observation and holding
  - Crisis stabilization community-based services
  - Crisis stabilization residential services

Each service will have performance benchmarks and performance indicators.

Karen said that 24 hour crisis response looks similar to what are now emergency services under chapter 24, and includes screening and assessment. The 24 hour crisis hotline includes screening and possibly moving into some services. The warmline involves listening, support, and encouragement, and may be peer run. Mobile response can take different forms and may look very different in urban areas than it does in rural communities. The 23 hours crisis observation and holding service will include components such as incident reporting, service requirements, and treatment summaries. Residential services will be short term and could be facility-based or community-based. The intent is that there will be flexibility for providers to find what models work best for their communities within the framework established in the rules. The rules set parameters, but allow for some creativity and flexibility on the part of providers. The rules set the standards providers must meet, although providers can always go beyond what is required.

Patrick Schmitz said some of the things the committee talked about included how to pass stabilization plans and other information during transitions, and making sure people can move smoothly between services. They also discussed how to provide for the safety of individuals and staff, especially when staff are going out to intervene during a crisis. Patrick explained that Department staff has done the main research and drafting and the Commission members serving on the committee have worked to bring their perspectives to the table. He noted that because it is very much a work in progress, the document itself will not be shared with the full Commission until it is ready to present for public notice and wider input. If everything continues on the expected timeline, that will happen at the June Commission meeting.

The first presentation of the rules to the Commission will be to ask for approval to notice, so the public comment period will follow and comments will be considered and responded to before the rules are finalized for adoption.

Geoff Lauer asked if persons with brain injury are specifically included under these rules. Karen responded that these rules do not have any specific eligibility requirements that are limited by diagnosis or disability group. The services will be available to all Iowans who need them.

Patrick noted that the committee also discussed how children could be included as the children's services system is developed.

Theresa Armstrong said that MHDS has worked on many rules, but most have had previous versions or statutory detail to follow. These started with a clean slate and had to work for accreditation standards as well as for the people who will use them. This is also the first attempt to move into the realm of core plus services. She said it has been a challenge and she appreciates the hard work of the committee.

## PUBLIC COMMENT

Jim Friberg said the DIA has sent out the draft of the administrative rules for subacute services. Comments are due May 30. A public meeting is scheduled to go over the draft on June 3.

Rebecca Peterson noted that people enrolled in the IHAWP are reporting they have been able to get dental coverage through Delta Dental.

## NEXT MEETING

The next meeting is scheduled for June 19, 2014 at Polk County River Place in Des Moines.

The meeting was adjourned at 12:05 p.m.

Minutes respectfully submitted by Connie B. Fanselow.